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# REPORTS SUBMITTED BY THE STATES PARTIES IN ACCORDANCE WITH ARTICLE 12, PARAGRAPH 1, OF THE INTERNATIONAL CONVENTION AGAINST APARTHEID IN SPORTS

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## BARBADOS

[Original: English]

1. Barbados, in recognition of its responsibilities as a signatory to the International Convention against Apartheid in Sports, has taken legislative action to implement the Convention by enacting the Prevention of Apartheid in Sports Act (1990-11), which came into force on 18 June 1990.

2. That legislative instrument underscores the position of Barbados on the question of apartheid in sports and, accordingly, has been circulated for the guidance of the Barbados Olympic Association, the umbrella organization responsible for Olympic sporting activities in Barbados, and its affiliated national sports federations, as well as to the Barbados Cricket Association, the governing authority for first-class cricket in Barbados. In this way, the lines of communication between these sporting bodies and the Ministry responsible for sports have been kept open for ongoing monitoring of the sporting activities of sports bodies, teams and individual sportsmen who might engage in sporting activities in South Africa.

3. At the government level, the immigration authorities and the Ministry responsible for immigration matters have been provided with the Prevention of Apartheid in Sports Act.

4. The names of the following Barbadian cricketers have been included in the Consolidated List of Sportsmen and Sportswomen who have participated in sports events in South Africa between 1 September 1980 and 31 December 1988:

1. Franklin Stevenson
2. Ezra Moseley
3. Alvin Greenidge
4. David Murray
5. Collis King
6. Sylvester Clarke
7. Dexter Toppin
8. Emerson Trotman
9. Albert Padmore
10. Hartley Alleyne
11. Roderick Estwick
12. Vanbourne Holder

Some of these cricketers (e.g., Sylvester Clarke and Collis King) made repeat visits to fulfil contracts.

5. The following players have written the West Indies Cricket Board of Control declaring their determination not to visit South Africa again for the purpose of participating in "apartheid" cricket:

1. Franklin Stevenson
2. Ezra Moseley
3. Alvin Greenidge
4. David Murray

6. A resolution was passed at the International Cricket Conference (ICC) in London in January 1989, which gave pardon to all those who had previously played cricket in South Africa in defiance of the sports boycott. The resolution also set penalties for players who subsequently might visit South Africa for the purpose of playing cricket not sanctioned by ICC.

7. That resolution was ratified at the Caribbean Heads of Government Conference in Grenada in 1989. It was on that basis that the four repentant players have been taken off the Consolidated List, reinstated and are now eligible to be considered for selection at the national level.

8. Since the readmission of South Africa to ICC, which conferred on South Africa the right to resume playing cricket with other members of ICC, a South African cricket team visited the West Indies during April 1992 and played one-day internationals in Jamaica and Trinidad and Tobago and a five-day test match in Barbados.

9. By extension of the right secured, two school teams, representing Grey High School from Port Elizabeth and Michaelhouse from Natal, participated in the 1992 Sir Garfield Sobers Schools' Cricket International Tournament.

## BELARUS

[Original: Russian]

The Permanent Mission of the Republic of Belarus to the United Nations presents its compliments to the Secretary-General of the Organization and, with reference to Secretariat note No. CAA/AAr/bj/490 of 20 July 1992, has the honour to report that, since the previous information was made available, no new legislative measures or regulations have been adopted on the issues relating to the International Convention against Apartheid in Sports.

## ECUADOR

[Original: Spanish]

1. The Constitution of Ecuador, in its article 4, states: "The Ecuadorian State condemns all forms of colonialism, neocolonialism and racial discrimination or segregation. It recognizes the right of peoples to free themselves from those oppressive systems".

2. Consistent with this statement, Ecuador signed the International Convention against Apartheid in Sports on 16 May 1986, with legislative approval on 14 March 1991 and ratification by the executive branch on 20 May 1991.

3. Ecuador is against all discrimination on grounds of race, sex, colour, creed or status.

4. In implementation of article 3 of the Convention, Ecuador does not maintain sports contact with countries practising apartheid. Article 23 of the Physical Education, Sports and Recreation Act states: "Ecuadorian sports shall be organized and regulated through the Ministry of Education and Culture, and shall be governed by the present Act and its regulations, by other laws of the Republic, by international sports regulations and by legally approved statutes and regulations".

5. The Ministry of Education and Culture, the highest national sports body, is responsible for monitoring the observance of the International Convention against Apartheid in Sports. Among its duties are:

(a) Establishing the country's overall sports policy in accordance with the aims designated in the Physical Education, Sports and Recreation Act;

(b) Observing and enforcing the Act and related regulations, statutes and other provisions;

(c) Authorizing travel abroad by Ecuadorian sports delegations of any level or category.

6. Immigration and naturalization offices shall extend all types of facilities to foreign sports officials, physical education, sports and recreation instructors, heads of delegations, referees, technicians or players who enter the country on an official mission. The absence of official diplomatic relations with South Africa precludes the possibility of an official mission entering Ecuador, thus ensuring the observance of article 7 of the Convention.

7. Ecuador supports all international measures aimed at the elimination of apartheid.

8. In practice, Ecuador has not maintained any contact with sportsmen from countries applying the principle of racial segregation.

# JAMAICA

[Original: English]

1. It is a well-known fact that the various sporting associations/federations in Jamaica, even without any prompting from the Government of Jamaica, have always been strongly opposed to the policy and practice of apartheid in South Africa, and indeed, wherever this pernicious system rears its ugly head. In fact, the people of Jamaica are in consistent opposition to this inhuman system and will always support the Government vigorously on its stand to combat the evil of apartheid.

2. In 1976, Jamaica was one of the countries which initiated the move for an international boycott of South Africa in the field of sports. That initiative led to the Gleneagles Agreement against Apartheid in Sports, adopted by the Commonwealth heads of Government in London in 1977. It also led to the International Convention against Apartheid in Sports, which was adopted by the General Assembly on 10 December 1985, and opened for signature on 16 May 1986. Jamaica, having actively participated in the drafting of the Convention, was among the first to sign as well as to ratify it.

3. In accordance with the Convention, the Government of Jamaica has had no sporting contact with South Africa until 1992. The Government took the necessary measures to discourage strongly its sporting bodies, teams and individual sportsmen from having or maintaining sporting contacts with South Africa. In fact, the West Indies Cricket Board of Control, of which Jamaica is a member, decided, as far back as 1971, that any West Indian cricketer who played cricket or coached in South Africa would automatically be debarred from participating in any cricket played under the auspices of the Board. The Jamaica Cricket Association rigorously applied this policy. In 1982, when a number of Jamaican cricketers joined a rebel tour to South Africa, they were banned for life from participating in cricket at the international, national and club levels.

4. However, in 1989, at a meeting of the International Cricket Council (ICC), the West Indies Cricket Board of Control (WICBC) joined in the adoption of a resolution which pardoned all those persons who played cricket in South Africa prior to 1 April 1989. The Jamaica Cricket Association, as an affiliate of the WICBC implemented this resolution revoking the ban imposed on Jamaican cricketers who had played in South Africa.

5. Prior to 1992, Jamaica did not grant visas to representatives of sporting bodies, teams or sportsmen from South Africa to enter Jamaica and also refused to allow sportsmen who had played in South Africa and whose names appeared in the Register of Sports Contacts with South Africa published by the Centre against Apartheid to participate in sporting activities in Jamaica, unless they were cleared by the Special Committee against Apartheid and their names removed from the Register.

## Recent developments with regard to sports sanctions against South Africa

6. Jamaica has been anxiously observing the significant reforms which have been instituted in South Africa since President F. W. de Klerk came to power in 1989. These reforms have led to the international community's taking action to end the years of isolation experienced by South Africa's sports enthusiasts, both practitioners and spectators alike.

7. Encouraged by the considerable progress in the evolution of a unified and non-racial sports movement in South Africa and the positive political developments, sporting bodies in Jamaica, including the Jamaica National Olympic Committee and the Jamaica Amateur Athletics Association, supported, albeit reservedly, the reinstatement of South Africa to international sports.

8. With specific reference to cricket, the Government of Jamaica and other Caribbean Governments supported South Africa's return to international cricket, acting on a request from the African National Congress. The West Indies Cricket Board of Control, however, abstained on a point of principle in the vote to reinstate South Africa at a meeting of the International Cricket Council in July 1991. The West Indies Cricket Board of Control did not oppose the participation of South Africa in the Cricket World Cup Tournament which was held in Australia and New Zealand in February/March 1992, when a decision was taken by the ICC on this matter in October 1991.

9. The Government of Jamaica later supported the decision of Mr. Clive Lloyd, a former captain of the West Indies cricket team, to take up a coaching assignment in South Africa at the invitation of the United Cricket Board of South Africa (the unified governing body of the sport). The Government supported this decision because of Clive Lloyd's stated intention to assist in enhancing the abilities of those who have been denied the opportunity to participate fully in sporting events, in particular cricket, at the national and international levels. The Government of Jamaica also joined other Caribbean Governments in endorsing visits to South Africa by other regional sporting personalities, such as Sir Garfield Sobers, Mr. Austin Sealy, and Mr. Tony Becca, a Jamaican sports journalist.

10. In March 1992, the West Indies Cricket Board of Control agreed to a South African tour of the West Indies to take place from 4 to 24 April 1992 and, in principle, to a West Indian tour of South Africa in February 1993. This first South African tour of the West Indies had the approval of the Government of Jamaica and the blessing of Nelson Mandela, President of the African National Congress. It included visits to Jamaica, Trinidad and Tobago and Barbados. The Prime Minister of Jamaica, while welcoming the South Africans to Jamaica, told them that in his country, as well as in the rest of the Caribbean, the general feeling was that, although there has been progress in South Africa, the battle would not be over until the final irrevocable breakthrough had been made. The Prime Minister also made it clear to the touring party that Jamaica's decision to lift sporting sanctions was a direct response to the position taken by Nelson Mandela and the African National Congress.

## Decisions taken in international forums regarding the lifting of sporting sanctions against South Africa

11. The Government of Jamaica, in endorsing the readmission of South Africa to international sporting events, has acted in accordance with decisions taken by the heads of Government of the Caribbean Community, the heads of State and Government of the Commonwealth, and the General Assembly.

12. The heads of Government of the Caribbean Community, meeting in St. Kitts and Nevis from 2 to 4 July 1991, took the following decision:

> Within the framework of the general application of sanctions against South Africa, heads of Government, conscious of the trend at the international level to delink sport that is organized on a multiracial basis in South Africa from general application of sanctions, signify their readiness to lend their support on a case-by-case basis in such areas of sports. At the specific request of the African National Congress, they signified their readiness to support the admission of the United Cricket Board of South Africa to the International Cricket Council.

13. The Commonwealth heads of Government meeting at Harare in September 1991 agreed that "people to people" sanctions affecting contact in several areas, including sports, should be lifted once the following criteria have been met:

- the formal endorsement of the achievement of unity by the appropriate representative non-racial sporting association in South Africa;
- readmittance to the relevant international governing body; and
- agreement of the appropriate non-racial supporting organization in South Africa to resume international competition.

14. General Assembly resolution 46/79 A entitled "International efforts towards the total eradication of apartheid and support for the establishment of a united, non-racial and democratic South Africa", which was adopted without a vote in December 1991, calls upon the international community to resume, among other things, "sports links with unified, non-racial sporting organizations of South Africa which have received endorsement by appropriate non-racial sporting organizations within South Africa and to assist disadvantaged athletes in that country".

15. The Government of Jamaica fully endorses the decisions of the Caribbean Community, the Commonwealth and the General Assembly. The Government of Jamaica recognizes the value of sports as an instrument in overcoming racism and will do whatever it can to assist those South African sportsmen and sportswomen disadvantaged by apartheid.

Concluding remarks

16. The Government of Jamaica has sought to abide by the International Convention against Apartheid in Sports and continues to give its full support to the provisions of the Convention while taking account of the developments which have occurred in South Africa in the last two years and their effect on sporting contact with that country in accordance with article 10, paragraph 5, of the Convention. This article takes into account the prospect of change in South Africa which would warrant the lifting of these sporting sanctions at the discretion of the international community.

17. Recent events in South Africa, namely the Boipatong massacre, has, however, given a clear indication that in spite of the progress made in South Africa, the international community must remain vigilant and must continue to exert pressure on the regime of President de Klerk. The Jamaican Government, as well as its counterparts in the Caribbean, have therefore given their assurances to the President of the African National Congress, Mr. Nelson Mandela, that they stand ready, if present trends in South Africa are not rapidly reversed, to join in re-mobilizing the international community through all appropriate means in the struggle against apartheid.

## SENEGAL

[Original: French]

1. Senegal has disseminated the contents of the Convention widely to its Olympic and Sports Committee and to all the national sports federations.

2. It has requested the Senegalese National Olympic Committee to use all its weight and influence with international bodies to ensure the implementation of the Convention.

3. By virtue of the delegation of authority by the Government to the sports federations, the federations have complied with the Convention at the risk of losing official recognition and the technical and human resources placed at their disposal for developing their discipline.

4. Since 1989, relations between South African sports organizations and the international sports movement have developed rapidly, with consideration being given to the possibilities for the South African federations to return to the international sports movement from which they had been excluded.

5. The Senegalese National Olympic Committee, through its President, Lamine Diack, Vice-President of the International Amateur Athletic Federation, has played a decisive role in the contacts established between the international sports authorities and the South African authorities.

6. In March 1991 at Dakar, Senegal became host to the Regional Development Centre of the International Amateur Athletic Federation, and in May 1991 it hosted the special session of the African Amateur Athletic Confederation, at which one of the agenda items was the status of South African sports.

7. Senegal also hosted, on 17 April 1992, the meeting of the Council of the African Amateur Athletic Confederation on African Unity, in which South African athletes and managers, black and white, participated.

8. The world of sports has played a decisive, incontestable role in the pressure brought to bear to abolish apartheid. With that aim in view, the Convention remains an effective instrument which should be updated to reflect the latest developments, in order to preserve what has been gained and to bring the struggle against apartheid to a successful conclusion.

## URUGUAY

[Original: Spanish]

1. The Republic of Uruguay presents its report to the Commission against Apartheid in Sports, in compliance with article 12, paragraph 1, of the International Convention against Apartheid in Sports.

2. The Republic of Uruguay has maintained a consistent position with regard to racial discrimination in sports, in accordance with its general policy on apartheid.

3. The principle of equality of persons is the cornerstone of the liberal democratic system and is recognized as such in article 8 of the 1967 Constitution, which states: "All persons are equal before the law, which recognizes no distinction between them other than their talents or qualities." This principle is reaffirmed in article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights, which was ratified by our country on 1 April 1970 and which prohibits discrimination against persons on the basis of their race, colour, sex, language, religion, etc. A similar text appears in article 2, paragraph 1, of the International Covenant on Civil and Political Rights, which was ratified by our country on the same date. It should be pointed out that, as a corollary to its defence of this principle, Uruguay in 1968 ratified the International Convention on the Elimination of All Forms of Racial Discrimination.

4. The defence of this principle goes back to the first legal instruments by which our country was governed, such as the 1825 Freeborn Act and our first Constitution in 1830. Article 131 of that Constitution stated that no person would be born a slave in the territory of the Republic, and article 132 affirmed the equality of persons. The Constitution has enshrined this principle through its various versions in our history (the 1918, 1934 and 1952 Constitutions). The concept of equality is observed unconditionally. It is

the basis on which individuals are guaranteed the full enjoyment of social benefits.

5. Our actions within the scope of international relations have been a faithful reflection of our domestic laws and policies. Uruguay has condemned the policy of apartheid in all forums, and the question of discrimination in sports is held to be of paramount importance in appraising the problem as a whole.

6. Uruguay voted in favour of the General Assembly resolution relating to apartheid in sports. For our country, this vote did not signify the adoption of a new position on the subject; rather, it crystallized positions which Uruguay had previously maintained.

Article 2

7. In all international forums, Uruguay has expressed its rejection of discrimination in sports and has added its vote to all decisions condemning such discrimination.

8. Apartheid in sports constitutes a violation of the Olympic principle; similarly, any exchange between sportsmen of one country and those of another which maintains a legal system of discrimination represents support for the violation of that principle.

9. The Uruguayan Olympic Committee has defended the Olympic principle and specifically condemned apartheid at all the international meetings in which it has participated.

10. The basis for the Committee's actions is article 3 of the Olympic Charter, which prohibits all forms of discrimination against a country or a person on the grounds of race, religion or political affiliation, the 1988 Lausanne resolution of the International Olympic Committee and resolutions of the Association of National Olympic Committees, which outline the principles followed by the Committee in this and other areas.

11. Uruguay's international policy in this regard has been very clear and consistent with the principles traditionally upheld by the Republic, which hopes to have made an effective contribution to the search for better means of eliminating distinctions between persons and a more faithful compliance with international law.

Articles 3 and 4

12. It should be noted that no official sports delegation from our country has visited South Africa. If any Uruguayan athlete had gone to South Africa to compete, he would have been penalized by the Uruguayan Olympic Committee and the National Physical Education Commission, in accordance with the rules governing the activities of these bodies.

13. The implementation of the clear-cut provisions of the Convention as if they were national law and the absence of any desire in the national sports environment to maintain contacts with sports bodies in countries practising apartheid have obviated the need to give effect to the Convention by legislation or decree. The contents of the Convention have at all times been effective in preventing any isolated attempt to compete with bodies in violation of its provisions.

14. It is standard policy for national, governmental and non-governmental sports authorities to reject any invitation to enter competitions in countries which practise apartheid.

15. As can be seen, Uruguay has adopted a range of measures designed to prevent sports contacts with countries practising apartheid.

16. The denial of visas, the refusal of assistance, together with the system of penalties, establish an utterly effective framework for ensuring respect for the provisions of the Convention.

Articles 5 and 6

17. The policy pursued by the national sports authorities is to deny any financial assistance for competition in countries where apartheid exists. The consequences of such a policy have been, first of all, to bolster the determination that no sports contacts should be maintained and to act as a disincentive should there be any desire whatsoever to offer assistance, by rendering all financial cooperation ineffective. This has undoubtedly helped to eliminate any type of competition that is contrary to the provisions of the Convention.

18. No national honours or awards have been conferred by the national sports authorities to teams from countries practising apartheid, nor have receptions been held in honour of such teams and sportsmen, as Uruguay currently has no sports ties with countries which practise apartheid.

Article 7

19. With respect to the granting of visas to visit our country, the national consular corps must request prior authorization for visas applied for by South African nationals. This procedure rules out the possibility that a visa might be granted in order for a South African sportsman to travel to Uruguay and participate in competitions, in accordance with the provisions of the Convention. Thus, visas were denied to Mr. M. J. du Plessis, passport SA 00029742, Mr. D. Gerber, passport SA 250809, Mr. Garth D. Wright, passport SA 318770 and Mr. U. L. Schmidt, passport SA 296760, these persons being rugby players who wished to participate in competitions in our country.

20. These measures confirm positions already adopted by the Republic even before signing and ratifying the Convention.

Articles 8 to 10

21. Uruguay has always taken a coherent and respectful position where article 8 of the Convention is concerned and, in keeping with the statements made above, has expressed its repudiation of the practices of apartheid in international forums. It has supported the expulsion from various international sports bodies of any country which maintains apartheid as a legal regime in its territory.

22. Uruguay fully supports countries and sportsmen that refuse to compete where apartheid is practised and, therefore, is not in favour of the imposition of financial penalties on such sportsmen and countries.

23. This report demonstrates Uruguay's incontestable will to refrain from maintaining sports contacts with those countries which practise apartheid. The same determination permeates the thinking of the local sports authorities, who have always voiced respect for the Olympic principle and for non-discrimination among men. This stance is the product of a particular view of man and of life, and is faithfully reflected in the national legal order and in the position the country has taken in various international forums.

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